

MAY 18 2007

Remarks

This Amendment is responsive to the Office Action mailed on July 14, 2006. Entry of this Amendment and reconsideration of the instant application in view of the accompanying Petition, the above amendments and following remarks are respectfully requested.

A. Applicants note that they became aware of a docketing error with respect to the above-referenced application when a representative from the US PTO called to inquire about the status of the application. At that time, it was learned that the July 14, 2006 office had been received and entered into applicants' patent docketing system. However, prior to the 3-month response date, due to a clerical error, the docket was incorrectly updated to indicate that a response had been filed to the July 14th office action. As a result, the action item and all subsequent deadlines were removed, and it appeared as though no open actions were pending. In light of this, and Applicants' continuous intention to maintain and prosecute this application, Applicants are filing the accompanying Petition to Revive for Unintentional Abandonment.

B. Claims 5-8 and 11-23 are pending. Claims 1-4 and 9-10 are withdrawn. Applicants have amended Claims 5-8 and 11-23. No new matter has been added by those amendments.

The pending claims have been amended to clarify that the presently claimed invention is an adhesive composition. As is noted throughout the application, the curable clay composition is an adhesive that may be used, for example, to laminate two or more substrates, or for example as a pressure sensitive adhesive. Among others, Applicants' cite the descriptions of the invention at page 16, lines 4-30 of the Specification as support for the present amendments.

C. The Examiner has rejected Claims 5, 6, 11 and 15 under 35 U.S.C. §102(e) as being anticipated by U.S. Patent 6,887,931 to Twardowska, et al. Applicants respectfully submit that the amended Claims 5, 6, 11 and 15 are novel over the '931 patent. The '931 patent discloses clay-containing thermosetting compositions that are useful for preparing molded articles. See, col. 6, lines 18-27. There is no teaching or suggestion in the '931 patent that those thermosetting compositions have any adhesive or cohesive properties that would enable them to be used as adhesives, or that they might be modified to become suitable as adhesive compositions. The molded articles of the '931 patent could not, for example, be used to bond two substrates together.

Applicants respectfully request that the rejection of Claims 5, 6, 11 and 15 under §102(e) be withdrawn.

D. The Examiner has rejected Claims 5-8 and 11-23 under 35 U.S.C. §103(a) as being obvious over U.S. Patent 6,399,670 to Macqueen, et al. Applicants respectfully submit that the amended Claims 5-8 and 11-23 are patentable over the '670 patent. The '670 patent discloses an abrasion resistant coating composition. A composition of this type is designed and intended to form a rigid, durable topcoat on a desired substrate. Applicants respectfully note that these compositions do exhibit the adhesive and cohesive properties necessary to form an adhesive composition.

In addition, Applicants respectfully disagree with the Examiner's contention that it would be obvious to modify the composition taught in the '670 patent which explicitly requires the use of a photoinitiator to reach the Applicants' claimed invention which is expressly stated to be substantially free of photoinitiator. The '670 patent does teach that either UV or E-beam radiation may be used to cure the compositions described in that patent. However, contrary to the Examiner's contention, this only supports the non-obviousness of the present claimed invention. This is because all of the compositions taught by the '670 patent require the use of photoinitiators. Such a requirement reaches away from Applicants' invention of a clay-containing adhesive composition that does not utilize photoinitiator to effect curing.

In view of the amendments to the claims and the foregoing comments, Applicants respectfully request that the Examiner reconsider and withdraw the rejection of Claims 5-8 and 11-23 under §103(a).

E. The Examiner apparently objected to Claims 6 and 8 as improperly depending from Claims 5 and 7, respectively. Applicants have amended Claims 5 and 7 to explicitly note that the "at least one ethylenically unsaturated compound" may be formed from mixtures of monomer(s) and oligomer(s). This is supported by the disclosure in the Specification at p.10, lines 11-14, as well as by the disclosures of originally filed Claims 6 and 8. Applicants respectfully request that the Examiner withdraw the objection to Claims 6 and 8.

This Amendment B is believed to be properly filed in view of the accompanying Petition to Revive for Unintentional Abandonment, and that no additional fees are due. However, if any additional fee is deemed required for consideration of this Amendment B, the Commissioner is hereby authorized to charge such fee to Deposit Account No. 18-1850.

Respectfully submitted,



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